

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

In re:

MARK E HERMAN

Case No: 18-40752

Debtor(s)

Chapter 7 Case

CLERK'S NOTICE ON APPEAL

To: Scott R Carlson
Attorney for Appellant

1. Notice of transmittal of appeal: The parties to the above-referenced appeal are hereby notified that the Notice of Appeal filed 4/20/2021 has been transmitted to the U.S. District Court for the District of Minnesota.
2. Transcript. If a transcript of proceedings is to be transmitted as part of the record on appeal, please **order the transcript immediately** and **docket the "text only" *Transcript ordered* event to the case or proceeding. If no transcript is to be ordered, please docket the "text only" *Certification of no transcript ordered* to the case or proceeding.** See Fed. R. Bankr. Proc. 8009(b) and Local Rule 8009-1(c).
3. Statement of the evidence in lieu of a transcript. If a transcript of a hearing or trial is unavailable, the appellant may file and serve a *Statement of the evidence* in lieu of a transcript within the time prescribed by Fed. R. Bankr. Proc. 8009(a)(1). An appellee may file and serve objections or proposed amendments to the Appellant's Statement within 14 days after being served. The Bankruptcy Court must settle and approve the Statement before transmission to the District court. See Fed. R. Bankr. Proc. 8009(c).
4. Statement of the issues. The Appellant's *Statement of the issues* to be presented on appeal must be filed and served within 14 days after filing the notice of appeal or entry of an order granting leave to appeal, whichever is later. See Fed. R. Bankr. Proc. 8009(a).
5. Designation of record. Unless the District Court orders otherwise, the parties shall serve and file with the Clerk of the District Court, in lieu of a designated record, their separate appendices along with their respective briefs. In addition, the parties shall arrange for the Clerk of the Bankruptcy Court to transmit transcripts or exhibits separately to the Clerk of the District Court. See Local Rule 8009-1(a).

6. Sealed documents. Any party that wishes the District Court to consider on appeal a document placed under seal by the Bankruptcy Court must file a motion with the District Court to accept the document under seal. The Bankruptcy Clerk may not transmit any sealed document until the District Court has granted the motion to accept the document under seal. See Fed. R. Bankr. Proc. 8009(f).

7. Notice of Transmittal of the Record. Notice of the bankruptcy clerk's transmittal of the designated record on appeal to the District Court will be provided to all parties to the appeal.

Dated: 4/21/21

Lori Vosejka
Clerk, United States Bankruptcy Court

By: Shelia
Deputy Clerk